

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

CHAPTER 7

FULLER, ROBERT W.

CASE NO. 09-03945-8-ATS

DEBTOR.

**APPLICATION BY TRUSTEE FOR AUTHORITY TO
EMPLOY AND APPOINT ATTORNEY**

To: The Honorable A. Thomas Small, U. S. Bankruptcy Judge

The application of Gregory B. Crampton respectfully represents as follows:

1. John W. Fuller ("Debtor") filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code on May 13, 2009.

2. Applicant was appointed Chapter 7 Trustee of the estate of Debtor on May 14, 2009 and is qualified and now acting as such Trustee.

3. The Trustee has reviewed the Schedules filed in this case and, based upon the information contained in the Schedules, represents the following:

- a. The scheduled value of the Debtor's assets is \$1,607,870;
- b. The amount of the Debtor's liabilities is scheduled \$958,859; and
- c. The value of unencumbered assets is unknown.

4. Applicant wishes to employ Gregory B. Crampton, an attorney duly admitted to practice in this Court, of Nicholls & Crampton, P.A.

5. Applicant has selected Gregory B. Crampton of Nicholls & Crampton for the reason that he has had considerable experience in matters of this character, and your applicant believes that Gregory B. Crampton of Nicholls & Crampton, P.A. is well qualified to represent him in this proceeding.

6. The professional services said Gregory B. Crampton is to render are as follows.

- a. To prepare on behalf of your applicant necessary applications, answers, orders, reports and other papers;
- b. To assist in the investigation and assessment of the validity and extent of security interests.

- c. To determine the availability and feasibility of avoidance power litigation, including, without limitation, actions under 11 U.S.C. §§ 547 and 548.
- d. To determine the availability and feasibility of litigation, including insider and alter ego theories.
- e. To perform all other legal services for your applicant which may be necessary herein.


7. Applicant represents that it is necessary to employ an attorney to provide such professional services.

8. Applicant desires to employ Gregory B. Crampton on an hourly basis for work performed.

9. To the best of applicant's knowledge, Gregory B. Crampton represents no other entity in connection with this case, is disinterested as that term is defined in U.S.C. § 101, and represents no interest adverse to the Trustee or the estate in the matters upon which he is to be engaged for your applicant; and his employment would be in the best interest of this estate.

WHEREFORE, the Trustee prays that he be authorized to employ and appoint Gregory B. Crampton as his attorney and that he have such other and further relief as is just.

This the 18th day of August, 2009.



Gregory B. Crampton
State Bar #991
Chapter 7 Trustee
NICHOLLS & CRAMPTON, P.A.
Post Office Box 18237
Raleigh, North Carolina 27619
Telephone: (919) 781-1311

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AFFIDAVIT

Gregory B. Crampton, being first duly sworn, deposes and says in connection with the attached Trustee's Application for Authority to Employ Attorney:

1. I am an attorney duly licensed to practice law in the United States Bankruptcy Court for the Eastern District of North Carolina and presently serving as Trustee in the above bankruptcy estate.
2. I do not hold or represent any interest adverse to the bankruptcy estate, I am a disinterested person as contemplated under Section 327(a) of the Bankruptcy Code, and it will be in the best interest of the estate that I serve as attorney for the estate.
3. I have no business, professional, or other connection with the Debtor, creditors, or any other party in interest, their respective attorneys, or accountants.
4. I am experienced in the matters upon which I am to be employed.

Gregory B. Crampton
Gregory B. Crampton

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Gregory B. Crampton, being first duly sworn, deposes and says that he is the above-named affiant; that he has read the foregoing affidavit and knows the contents thereof, that the same is true of his own knowledge, except as to those matters stated on information and belief and as to the matters he believes to be true.

Gregory B. Crampton
Gregory B. Crampton

Sworn to and subscribed before me
this 18 day of August, 2009.

Phyllis W. Hill
Notary Public

My commission expires: _____



PHYLLIS W. HILL
NOTARY PUBLIC
WAKE COUNTY, N.C.
My Commission Expires 1-24-2010.

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing **APPLICATION BY TRUSTEE FOR AUTHORITY TO EMPLOY AND APPOINT ATTORNEY** was served this day by placing a copy thereof in a depository under the exclusive care and custody of the United States Postal Service in a postage prepaid envelope and properly addressed as follows:

VIA E-MAIL SERVICE ONLY

Marjorie_Lynch@nceba.uscourts.gov

Janet_Hicks@nceba.uscourts.gov

Mrs. Marjorie K. Lynch
Bankruptcy Administrator
P.O. Box 3758
Wilson, NC 27895-3758

This 18th day of August, 2009.



s/Phyllis Hill

Phyllis W. Hill
Paralegal